

MEETING #10 March 13

At a Regular Meeting of the Madison County Board of Supervisors on
March 13, 2007 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman, Eddie Dean
James L. Arrington, Vice-Chairman, Eddie Dean
William L. Crigler, Member
Bob Miller, Member
Clark Powers, Member
V. R. Shackelford, III, County Attorney.
Lisa R. Kelley, County Administrator
Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and announced that all
Board members were present.

Chairman, Eddie Dean also thanked Lisa Kelley, County Administrator,
for organizing Agenda items for the Board members.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Donald Gore, Resident Engineer, stated there have been allegations the
Virginia Department of Transportation will have leftover funding due to the minimal
amount of snowfall during the winter season; as a result, work has been initiated to lay
stone on gravel roadways; he also advised he did call Mrs. Doris Turner (Turner Drive) to
discuss the options that were presented at the Public Hearing.

Donald Gore stated the Streetscape Project appears to be moving along
well with no major problems noted; V. R. Shackelford, III, County Attorney has
indicated the deadline for utilizing the allocated funding for Route 702 (Larkins Mill) is
December 31, 2007 – work must be completed, billed and paid in full by that date; he
advised the Board something more will be known by May or June 2007 regarding the
Revenue Sharing Program application – if Madison County was not approved to
participate in this program, any available funding will be utilized to perform as many
projects as possible.

V. R. Shackelford, III, County Attorney advised the previous agreement
noted that all funding (\$100,000.00) would be utilized for road improvements by January
1, 2008 – if the funding was not utilized by that time, it will be allocated for maintenance

of the roadway only, he stated it was the prior intention of the Madison County Board of Supervisors to utilize the funds for road improvements rather than for maintenance.

Donald Gore stated the present amount of funding for the Six Year Road Improvement Plan has fluctuated from \$786,000.00 to \$309,000.00 with the current funding standing at \$633,000.00 – he stated the Virginia Department of Transportation will not have a final total until all revisions have been discussed during the meeting of the General Assembly during the month of April.

Bob Miller thanked the Virginia Department of Transportation for the gravel that was placed on his road (quite heavy in some areas) and stated he supposed someone would return to grade the surface shortly to deter any hazard from occurring.

James L. Arrington asked if Turner Drive was ever listed on the Six Year Road Improvement Plan during the past years.

Donald Gore stated after investigating this concern, he noted the roadway has never been included on any of the past plans, although the residents have diligently asked for the roadway to be included on an annual basis it was never included.

James L. Arrington stated he would like to follow up with these residents.

Donald Gore stated the Virginia Department of Transportation plans to utilize a space to allow vehicles to pull over to the side if another vehicle is met – he stated he has left a message for Mrs. Turner to return his call so options can be investigated.

James L. Arrington asked if there was any way the roadway could be paved, to which Donald Gore stated the decision to place Turner Drive on the Six Year Road Improvement Plan is solely up to the Madison County Board of Supervisors; however, he stated he could not indicate if or when the roadway would be paved.

Judy Ann Fray was present and asked about the comment concerning the Virginia Department of Transportation having leftover funding – she inquired as to whether the funding could be allocated to initiate trash removal and mowing in Madison County.

Donald Gore stated the Virginia Department of Transportation is in the process of initiating mowing contracts.

Judy Ann Fray asked what can be done about removing debris from Route 29 at the present time; she stated she drove through several Counties in Virginia and West Virginia and noted several of the locations had several orange trash bags on the side of the roadways filled with debris. She stated that Madison County needs help in maintaining litter control along the roadways.

Donald Gore stated there have been several efforts being initiated in several Counties throughout Virginia in which local Sheriffs have utilized imprisoned trustees and non-violent offenders to collect debris along the roadways; he also stated there have been individuals contracted to remove debris.

Judy Ann Fray stated there are several individuals who have adopted roadways and are not maintaining the cleanliness of their designated roadways; she asked if the Virginia Department of Transportation has a year long contract for the removal of roadside debris.

Donald Gore stated this effort is usually done twice annually and is not done on a daily basis; he also advised of potential risks when using state contained prisoners to perform roadside clean up (i.e. incident in Fairfax County) and advised they must be heavily supervised at all times.

James Hale verbalized concerns about the curbing being installed on Church Street and feels it will hinder a truck trying to enter into the adjoining parking lot.

Donald Gore stated he will take a look at the site.

IN RE: PAYROLL & CLAIMS & SUPPLEMENTAL APPROPRIATIONS

Chairman, Eddie Dean asked if there were any questions related to the proposed Payroll & Claims Report as submitted for the month of February 2007.

Bob Miller asked about an entry on page 15 regarding the entry for a retirement plan cost study.

Teresa Miller advised this action was requested by EMS in order to determine the cost of exploring LEOS coverage for EMS personnel.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the warrants issued in satisfaction of payroll for February 2007 (Checks #30109565 through #30109677 and electronic transfer #15) are hereby approved, with the following vote recorded:

Janjrye	Eddie Dean	Aye
	William L. Crigler	Aye
	Bob Miller	Aye
	Clark Powers	Aye

On motion of William L. Crigler, seconded by Bob Miller, the warrants issued in satisfaction of claims against the County for February 2007 (Checks #10124344 through #10124541) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean stated the following supplemental appropriations need to be approved by the Board:

1. Park & Recreation (funds deposited for Youth Sports) \$12,390.50
#5690-71100
2. Park & Recreation (funds deposited for Health Fitness) \$ 274.55
#5691-71100
3. Animal Control (reimb. for Vet expenses on Court case) \$ 618.00
#3118-35100
4. Sheriff (reimb. from Comp. Board for computer purchase) \$ 3,538.56
#8101-31200
5. Sheriff (reimb. from state for line of duty benefits) \$ 3,511.00
#2310-31200
6. Sheriff (grant reimb from Dept. of Criminal Justice) \$29,753.00
#6010, 5230, 3323, 8101, 3145 – 31200
7. Updating & Planning of Tax Maps \$ 6,000.00
(funds to balance department and to have funds
For remaining of year; due to equipment & software
Purchase and classes taken by Brian Daniel)
#3192-81700
8. School request \$ 500.00
(Virginia Experiment Teaching American History Grant)

TOTAL: \$56,585.61

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board approved the aforementioned supplemental appropriations totaling \$56,585.61, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

James L. Arrington asked for clarification of the reimbursement the Sheriff's Department received from the Department of Criminal Justice.

Erik Weaver, Sheriff, advised grant funding was utilized for the purchase of bullet-proof vests that was made during the past year.

IN RE: MADISON COUNTY SCHOOLS

Dr. Brenda Tanner, Superintendent, thanked Ross Shifflett, Director of Facilities & Maintenance, for attending the School Board meeting last evening; she also stated the calendar for the 2007-2008 school year was approved and provided a copy for the Madison County Board of Supervisors; advised summer school will begin at the end of June and run for four (4) days weekly instead of the usual five (5) as a means to improve student attendance in the summer school program; a Wetsel Middle School student was recognized by the University of Virginia Art Museum; also recognized the Madison County High School Band upon being recognized as a "Virginia Honor Band" with a Superior rating; also discussed issues regarding facilities planning – stated she has met with Lisa Kelley, County Administrator, to discuss long-range capital projects – will continue discussions to address needs at the high school facility.

James L. Arrington asked if the summer school program was optional.

Dr. Tanner advised that some programs contain several components (i.e. remedial, SOL performance, enrichment).

Clark Powers verbalized concerns about programs that are offered outside of Madison County and how students are transported to the alternative location.

Dr. Tanner stated the program in question will be offered in the Culpeper

area – there will be a small number of students from Madison County who will be attending that course and transportation will be provided. In closing, she advised all aforementioned programs are contingent upon the Department of Education approving of a waiver to allow Madison County to begin school after Labor Day.

Bob Miller stated he requested some information while meeting with some of the School Board members, which Dr. Tanner would be forthcoming.

Bob Miller asked for input as to the School Board's thoughts on using biodegradable fuel for school buses.

Dr. Tanner stated this issue has been examined and the School Board members are looking at using the fuel as an additive to the regular fuel to increase lubricity – this issue will continue to be reviewed.

IN RE: MADISON COUNTY RECYCLING

Judy Ann Fray, Recycling Coordinator, stated "Building Community Pride" is the theme for the 2007 Clean County Campaign that begins Thursday, March 15, 2007 from 7:00 p.m. to 8:00 p.m. at the Madison County Library Board room – meeting will be utilized to chart roadsides with planned clean up activities scheduled for March 24th and 31st (i.e. Route 231 & 15) – plans to distribute orange highway trash and safety vests to volunteers with cooperation of Madison County's Virginia Department of Transportation staff; continental breakfast in the War Memorial building and lunch will be served at the Radiant Community Center from 12:30 p.m. to 1:30 p.m. on March 24, 2007; she advised the spring clean up season will continue through Saturday, April 14, 2007; also advised Board of a local individual who is interested in the DMV Abandoned Vehicle Program – Bob Miller, Board member, suggested Ms. Fray attain information from the Division of Motor Vehicles on the program.

James L. Arrington verbalized concerns as to why asked why Route 29 was not included as part of the clean up effort.

Judy Ann Fray also asked the Board for any suggestions as to how the clean up effort along Madison County roadways can be enhanced.

V. R. Shackelford, III, County Attorney stated there were concerns with utilizing detainees in the criminal justice system; he did advise that community service

appointees might be able to assist and suggested Ms. Fray contact George Webb, III, Commonwealth Attorney, for advice on this matter.

Erik Weaver, Sheriff, advised that he met with F. Glenn Aylor, Superintendent, of the Central Virginia Regional Jail and discussed the issue of utilizing inmates to participate in a clean up effort. He advised that law enforcement would have to supervise the inmates and Superintendent Aylor indicated he did not currently have any inmates participating in the Work Release Program with hours to work off.

Judy Ann Fray stated she'd love to have the Assign-A-Highway Program in force in Madison County; she advised a neighboring County currently utilizes paroled individuals to clean the highways.

V. R. Shackelford, III, County Attorney stated if inmates are utilized, law enforcement/guards will have to be paid to supervise these individuals.

Judy Ann Fray stated a local citizen has expressed interest in overseeing the Abandoned Vehicle Program in Madison County and is awaiting a response.

Bob Miller asked who was the individual looking to hear from and asked if Ms. Fray possessed the information that was needed.

Lisa Kelley, County Administrator, stated she was contacted by Ms. Fray about the interest; however, due to time constraints, she has not had a chance to follow through with becoming familiar with the State's Abandoned Vehicle Program.

Bob Miller asked if there was any information available from the State of Virginia that provided a detailed outline of the Abandoned Vehicle Program.

William L. Crigler stated he felt the main issue was accountability.

Judy Ann Fray provided a brief overview of the program logistics in the past; however, she was unsure if the abandoned vehicles needed to be crushed prior to disposal – she also advised that she will attain information on the program and forward it onto Lisa Kelley, County Administrator.

Judy Ann Fray introduced Carolyn DeLong to the Board and stated she volunteers with litter removal in Syria.

Carolyn DeLong expressed excitement about the current litter program for Madison County; she also asked if there was a designee to oversee the condition of the County's rivers.

IN RE: MADISON FACILITIES & MAINTENANCE

Ross Shifflett, Director of Facilities & Maintenance, reported the annual Tour de Madison event will take place on Saturday, May 19, 2007 beginning with a breakfast at 7:30 a.m. in the Madison Firehouse – he invited the Board members and advised V. R. Shackelford, III, County Attorney will participate in the annual event; he provided a monthly activity report and advised the 3.4 ton pick up was serviced by Hawkins Body Shop – the Ford Ranger is currently being utilized at the Madison Animal Shelter to transport animals and waste to the Transfer Station; the Director of the Shelter is currently able to interface with veterinarians rather than having someone act as the medium; he advised there was a local citizen who verbalized concerns about utilizing a rollback to bring home trash to the Transfer Station and why he was being charged \$60.00 per ton. Ross Shifflett stated the current policy has not been amended in any form since it was established in December; he also advised he is in the process of attaining bids for grinding services – the intention is to double grind brush this year – conversed with DEQ and would like to provide mulch to local citizens if this is a viable option for the County; storm water run-off training session will be held on 3/21/07 and will have all appropriate staff to attend.

Ross Shifflett advised the plans for the Hoover Ridge project are being reviewed by staff at the Culpeper Soil & Water Conservation District – changes have been deemed necessary are being addressed; plan to meet with the Madison County Planning Commission this month so they can review the plans and get things in order – hopes to be able to utilize grant funding to perform roadwork at the site; also advised he met with the School Board members last evening about the easement for the water system.

IN RE: MADISON SOCIAL SERVICES

Nan Coppedge, Director of Social Services, advised she had a meeting of the Steering Committee to discuss issues pertaining to the Girl's & Boy's Club; currently have (15) children in the foster care case load; also stated an issue affecting the Department of Social Services in the General Assembly is in reference to treatment for foster care cases.

IN RE: MADISON CHAMBER OF COMMERCE

Tracey Williams, Tourism Coordinator, was present and provided the following report: concrete is being poured along Main Street; a camera has been installed at Eddins Insurance, Inc. and will also be donating a computer to the Sheriff's Office to enable them to have a view of the Main Street which will be tied to the Chamber's website; Russell James from the Germanna Technology Center attended the Chamber's Board meeting during the past month – time scheduled for members and Board to attend is Thursday, March 28, 2007 from 6:00 p.m. to 8:00 p.m. (Legacy of the Land exhibit will also be at the meeting); tentative date for the first mixer of the year is Thursday, April 21, 2007 – invitations will be mailed out at the beginning of next week; Business Expo ad will be in this week's paper; attended GMMSP meetings; attended Boy's & Girl's Club steering committee meeting; visitor center had (80) visitors in February with (3,907) hits to the website; working with Three Angels Chorale to set up another concert for May; also working with Historical Society on other events in honor of the 400 year Commemoration; request letters sent out for Taste of the Mountains – plan on getting brochures ordered and contracting entertainment later this month.

IN RE: MADISON COUNTY E-911

Robert Finks, E-911 Coordinator, provided the following report for the month of February: (472) E-911 calls; (280) from regular telephones; (193) from cellular phones; (27) alarm calls; (25) E-911 hang-up(s); (2) open lines; and (4) misdials; he also advised a couple of equipment failures occurred within the past week; repeater at the Sheriff's Office needed to be replaced as parts were obsolete for this model; he also advised there were problems with the digital equipment that provides security for the building and needed to be replaced – funding was included in the budget to handle these repairs.

James L. Arrington asked if the repeater was located at Blakey Ridge, which Robert Finks indicated was the one located in the Town of Madison.

Robert Finks advised there are currently nine (9) repeaters throughout Madison County (i.e. Blakey, Town of Madison & Woodberry Forest School); he also

advised there were two (2) large fires in the County and advised that residents are asked not to burn due to extreme dryness the area is experiencing.

IN RE: EMERGENCY MANAGEMENT SERVICES

Carl Pumphrey, EMS Coordinator, provided a report of all activities for the month of February and advised there was an incident in Brightwood that could have included hazardous materials and could have resulted in leakage in the stream if it had not been for prompt action on the part of County emergency personnel.

IN RE: MADISON EMERGENCY MEDICAL SERVICES

Lewis Jenkins, EMS Coordinator, provided the following report for the month of February 2007:

1. Total calls toned: (108)
2. Total calls handled (90)
3. Total calls no response (18) due to no available staff
4. Night coverage: (15) hours of night coverage with a total of (16) ALS Calls being handled.

Lewis Jenkins stated the crew of Pegasus was present during the month to provide training (Valley Air Care); also provided certification information to James L. Arrington as requested; stated today was to be the tornado drill – however, due to staff being out on calls, the drill was not undertaken.

James L. Arrington asked for clarification pertaining to eight (8) calls being cancelled by first responders.

Lewis Jenkins explained in these situations, either law enforcement or other emergency personnel arrive to the scene first and inform EMS there are no injuries – he explained this number can increase dramatically during times of inclement weather (i.e. due to ice, snow).

IN RE: MADISON COUNTY SHERIFF

Erik Weaver provided the following report for the month of February 2007:

1. Total service calls: 849
2. Criminal arrests: 28
3. Civil process (warrants): 255
4. Days of court: 18 [w/(2) being Juvenile Court in the same day]
5. Animal Control service calls: 70

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler provided the following report for February 2007:

- (46): Patient emergencies
- (4): Mutual aide to Greene County
- (3): Assists to EMS
- (3): Miscellaneous calls
- (56): Total calls

IN RE: PUBLIC COMMENT

James Hale was present and asked who would be responsible should a participant in the Tour de Madison event be subjected to injury; he advised he feels this is a dangerous activity and feels there will be a tragic incident in the future.

V. R. Shackelford, III, County Attorney advised that all participants are required to sign a waiver prior to participating in the riding event.

Judy Ann Fray stated that automobile drivers are supposed to remain behind the cyclists until there is a lane in which the automobile can safely pass – she added the cyclists do have a right to ride on the roadways.

Clark Powers stated he shared the same concerns as verbalized by Mr. Hale; he stated he did not believe the Virginia Department of Transportation would be willing to denote special lanes for cyclists or indicate clearance should be provided.

Carolyn DeLong was present and asked the Board who was responsible for maintaining the rivers that flow through Madison County; she stated there are programs available from the Corps of Engineers.

Chairman, Eddie Dean stated there is not a Board member assigned to

over see that aspect; however, he stated the Board would be happy to accept a volunteer for the project.

IN RE: SEPTIC SYSTEMS (Dwayne Dixon)

Chairman, Eddie Dean stated Dwayne Dixon, Sanitarian, of the Madison Health Department has been invited to today's meeting to discuss issues pertaining to septic systems (non-conventional & alternative).

Dwayne Dixon explained the method in which the Madison Health Department applies the County's Ordinance for septic systems (i.e. non-conventional and alternative) and advised the Ordinance stated that no building permit for a structure with water or sewer facilities may be issued until the applicant obtains approval from the Health Department; additionally, the Ordinance imposes that "each lot shall have one (1) approved drain field and one (1) approved reserve drain field area...[each having] a minimum of ...10,000 square feet...A conventional sewage system shall be utilized if soil conditions are acceptable...If the... Health Department determines that the site does not allow for a conventional sewage system, a non-conventional sewage system may be utilized...All non-conventional sewage systems shall be designed under the supervision of a licensed professional engineer [and will be] subject to the [state] requirements for "conditional construction permits...."

Dwayne Dixon stated a citizen recently applied for a building permit for both a primary drain field and a reserve drain field; however, soils in the proposed reserve drain field are apparently unsuitable for a conventional system; as a result of this request, the Madison Health Department is in need of direction from the Board as to how the County's Zoning Ordinance is to be interpreted and apply to the requirements contained in the document.

Chairman, Eddie Dean stated concerns as to the only reasons for the reserve drain field was if the primary system failed, to which Dwayne Dixon indicated was correct.

Chairman, Eddie Dean asked if there were places in which an alternative system could not be designed for and if so, what type of places.

Dwayne Dixon stated there were places in which this could not be done and advised that any alternative system still has to meet minimum soil criteria with the

most generally applicable system being for a mound system – this system has to have twelve (12) inches of suitable soil from the ground surface down until it reaches bedrock or ten (10) inches until it reaches the water table. He stated in a case where there is extremely shallow water table, the water table is generally within eighteen (18) to twenty (20) inches; there might be situations in which the rock surface may be rather shallow to the ground (less than [12] inches) which will not allow for any type of system to be designed.

Clark Powers asked if there was any type of system that can utilize propane fire to burn and/or vaporize materials.

Dwayne Dixon indicated there has been some experimentation with the “greenhouse system” - however, this type of system is basically cost prohibited.

Chairman, Eddie Dean stated a reserve system was approved and asked whether this requires the soil to be checked.

Dwayne Dixon stated an AOSE” has reviewed the site and feels the site in question meets regulations for a non-conventional system; he stated by the standards indicated in the County’s Zoning Ordinance, an “ASOE” is not authorized to design such a system.

James L. Arrington asked if a “pump and haul” system could be utilized.

Dwayne Dixon stated if a system failed, there are avenues to address this issue through variances, etc.; however, he stated the case in question at the present covers undeveloped property in Madison County. (Dwayne Dixon also explained the “mound system” and indicated an “AOSE” isn’t qualified to build the system on undeveloped property.

Bob Miller verbalized concerns as to the “stamp of approval” being provided on certificates for alternative systems.

Dwayne Dixon stated he wasn’t sure if the issue being brought forth by the plaintiff was monetary or due to the fact that an engineer must be involved.

Lisa Kelley, County Administrator, indicated the plaintiff with concerns is present at today’s meeting and stated she felt there is some level of inconvenience.

Chairman, Eddie Dean stated the Board has concerns regarding the issues being brought forth by the soil scientist coupled with the additional expense being

exhibited toward the homeowner; he asked if it would be feasible to utilize a conventional system.

Dwayne Dixon stated this issue was addressed by regulations from 2000 (i.e. “site has be repaired as close to regulations as possible...”) and stated if a conventional system from the 1960’s is failing and there is no new area in which a drain field can be installed, in order to meet the current regulations, a non-conventional system will be needed and a drip system will be installed over the original drain field site (1/2 drip irrigation system plowed in from one (1) inch or deeper). He stated a conventional trench system can also be utilized which consists of four (4) feet of undisturbed area between the irrigated ditches.

V. R. Shackelford, III, County Attorney stated there were concerns verbalized by citizens when the County adopted the amended Zoning Ordinance and there were also concerns verbalized about the reserve area on personal property. He stated some Counties who experienced issues with “shrink/swell” found out problems with this issue are generally felt throughout the entire locality and caused much funding to be spent to correct the problems that arose from the issue. In closing, V. R. Shackelford, III, County Attorney urged the Board to be careful in dealing with non-conventional systems and the operational procedures.

Bud Kreh was present and stated he felt the Madison Health Department has done an exceptional job in trying to control these situations as they are presented; however, he wanted to clarify today’s concerns were based on the current drain field being the primary system and the need to determine how best to provide a reserve area. He advised that he attended a symposium on non-traditional systems which featured an engineer who indicated he could “make any lot in Virginia work” which appeared to be a “stretch” but might be true depending on the financing involved. In closing, he felt an engineer would not put his seal on anything unless he actually designed the system and can guarantee the system will work and feels the advice of an engineer is critical – feels the fee for this service should be passed onto the homeowner.

Peter Williams was present and stated the money involved wasn't an issue; however, he is not in agreement with the request to have a professional engineer to approve plans for the alternative reserve system that may not be needed for many years to come.

James Hale stated he feels those who purchase lots have often failed to look at the condition of the soil (i.e. Lake of the Woods) and feels the Board will have to take charge of this issue.

James L. Arrington asked if there were any recommendations as to how this issue can be contained.

Peter Williams verbalized concerns about the value of the professional engineer stamp in the future; he also indicated concerns about installing an alternative reserve system that may possibly not be adequate in the future if designed at the present time.

Bob Miller verbalized concerns expressed in a letter from Mr. Williams regarding "why (do you) require that an engineer design one now when at the time it is needed it may be obsolete or not as desirable as a newly developed one?" – he indicated the Board is not asking that a system be designed today but simply making it known Board will support the requirement based on the fact the engineer indicates an alternative system can be designed based upon soil information.

Bob Miller stated if the Board decided to refrain from meeting the minimum requirement as indicated by the engineer, it might be impossible to justify any future applicants to certify having reserve for a conventional system if the present requirement is not applied.

In closing, he stated it is not known if the primary site will serve the alternative system for any given period of time as some residents do not properly maintain conventional septic systems – with abuse, these systems are capable of failing in a short period of time; he feels the aforementioned requirement should be noted as a safeguard for any potential homeowner.

Peter Williams indicated he does not feel an engineer will sign off on an alternative system unless it is designed by the engineer.

Bob Miller stated it was indicated by Dwayne Dixon that the Madison Health Department has been applying the guideline as stated all along and questioned whether this was the first occurrence of this nature (i.e. engineers signing off automatically).

Dwayne Dixon indicated the County's Zoning Ordinance was adopted in November 2004 and stated he was unsure how many cases of this nature have been handled by the Madison Health Department; however, he stated this is the first time a request of this nature has been questioned; he stated he was unsure whether there was a question of cost and advised he feels the AOSE has visited the site and gathered soil information to test.

Clark Powers asked Mr. Williams if he felt the primary septic system would be sufficient and allow building to progress on the site, to which Mr. Williams replied he did; however, he stated there were concerns being verbalized by the ASOE (i.e. refusal to sign on the plans)..

Chairman, Eddie Dean informed Dwayne Dixon there were also concerns regarding a road being situated over a drain field.

Dwayne Dixon stated the site in question only has (2) dead grass spots across the field where the resident utilized the path to access his barn – he added he was unsure of the specifications utilized by the surveyor. In closing, he stated he did not feel a resident would purposely drive over their drain field as this activity would cause the property to become very soft; he also advised this is the first farm road he has seen to be noted on a plat.

Bob Miller stated there is no distinction on the plat or County map of this as there is an indication of a roadway (although not heavily traveled); however, he suggested it would be most helpful in the future for the Madison Health Department denote on all plats “reviewed and approved” to eliminate any confusion on future requests.

Chairman, Eddie Dean thanked Dwayne Dixon for attending and advised the Board suggests the Madison Health Department continue to utilize the same guidelines as presently being executed.

In closing, Chairman, Eddie Dean also concurred with the aforementioned statement regarding notating information on plats (i.e. reviewed and approved).

James L. Arrington asked if testing results for alternative systems were forwarded to the Madison Health Department.

Dwayne Dixon stated a few test results have been forwarded to the Madison Health Department; however, he stated the V. R. Shackelford, III, County Attorney might have to follow on this concern, as there should be two (2) testings performed on these types of systems per year which has not been occurring.

In closing, Dwayne Dixon stated all data that has been received will need to be compiled; however, he stated most locations have been out of compliance although homeowners have indicated they will adhere to all guidelines - he stated the Madison Health Department must adhere to the County's Ordinance although enforcement can only be done by the V. R. Shackelford, III, County Attorney's enforcement of the County's guidelines as established by the Madison County Board of Supervisors.

V. R. Shackelford, III, County Attorney provided an overview of statements made by Mr. Sheppard that indicated the Madison Health Department would follow up on these issues.

Dwayne Dixon explained the Madison Health Department does not have the authority to bring forth any issues of negligence before the Commonwealth Attorney, as this can only be done by the V. R. Shackelford, III, County Attorney on behalf of the Madison County Board of Supervisors.

V. R. Shackelford, III, County Attorney stated he will have to investigate these concerns.

IN RE: BIDS (COURTHOUSE PROJECT PHASE I)

Eric Amtmann of Dalgliesh, Gilpin & Paxton, LLC was present and advised that four (4) bids were received for Phase I of renovations to the Commonwealth Attorney's Office & site work from the following bidders:

Vendors	Base Bid	Days
CMS	\$1,010,000.00	300
Trinity Construction, Inc.	\$ 997,451.00	180
Crenshaw Construction, Inc.	\$ 920,000.00	180
C.L. Lewis, Inc.	\$1,007,001.00	270

Eric Amtmann stated that all bids were under budget with the low bid coming from Crenshaw Construction for \$920,000.00 for (180) days which is the time frame they will be held to; he stated all other required paperwork was included with their paperwork that was submitted.

William L. Crigler verbalized concerns as to the large difference in days denoted on each bid that was submitted.

Eric Amtmann stated this more than likely has to do with the contractor's mobilization time (i.e. ready to start now); however, he stated it was anticipated the contractor may not start the project for another year (i.e. 365 days) – he stated in some cases contractors may not be ready to initiate a job until July; however, (180) days is an extremely good time frame.

Lisa Kelley, County Administrator, informed the Board that a decision could be made this afternoon or be continued until the review of budget matters on March 23, 2007; however, she also indicated the Board can accept the bid amount from the low bidder and authorize her to act as the signatory on the contract after final investigation of qualifications and V. R. Shackelford, III, County Attorney, approving the contract.

Eric Amtmann indicated all bidders are bound to hold their bid amounts until April 12, 2007 which does afford a little bit of time.

William L. Crigler asked if the contract has an initial starting date.

Lisa Kelley, County Administrator, indicated once a contract has been signed, the County will have an approved schedule which will specify an initial starting date with work needing to be completed within the allotted time frame; however, she stated it is anticipated the starting date will be as soon as possible once the contract has been signed.

Eric Amtmann indicated the number of days begins with the “notice to proceed” which can actually be issued before the contract is actually signed; the Board can actually choose which date the contractor must begin work.

Andy Mank stated the plans and specifications are still being reviewed by Wes Smith, Building Official – he suggested the Board not proceed until this task has been completed.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board accepted the low bid from Crenshaw Construction, Inc. in the amount of \$920,000.00 based on investigations of bidders' qualifications and contract approval by V. R. Shackelford, III, County Attorney, and also authorized Lisa Kelley, County Administrator, to act as the signatory agent on behalf of the Madison County Board of Supervisors prior to approval, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

James Hale verbalized concerns as to what renovations will be done.

Chairman, Eddie Dean stated the cost will involve renovations to the Estes House, parking lot and site preparations.

Andy Mank also advised the costs associated with the project will include a new office for the Commonwealth Attorney, a new office for the Sheriff's Detectives, and additional parking spaces on Court Square (50) which will provide a one-third increase to the parking capability in the Town of Madison; additionally, all utilities will be put into place for the Courthouse expansion which will take place during Phase II of the Courthouse Project.

IN RE: INTERLOCAL AGREEMENT (WORKFORCE INVESTMENT ACT)

Chairman, Eddie Dean stated an Interlocal Agreement to implement the Workforce Investment Act has been received.

Lisa Kelley, County Administrator, advised the Piedmont Workforce Council is a group that implements the Federal Workforce Investment Act of 1998 for this region; she advised the federal law requires that each State have a state plan and that each region within the state (declared by the Governor) also have a plan for consolidating, coordinating and improving employment training, literacy and vocational rehabilitation programs to ensure there is a local workforce to meet local needs for economic development.

Lisa Kelley, County Administrator, advised the Madison County Board of Supervisors has already signed an agreement some time ago, however, changes to the

federal laws necessitates the language of the agreement contain specified changes and therefore, recommended the Madison County Board of Supervisors approve the agreement as submitted today. She also advised the Board to authorize her to sign the agreement as there are thirteen (13) jurisdictions must review the wording change; however, all jurisdictions are being asked to sign the agreement as submitted today and everything appears to be in order.

William L. Crigler asked if there was any funding tied to the agreement being presented today, to which Lisa Kelley replied nothing beyond what has previously been agreed to by the Madison County Board of Supervisors.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the Board approved the aforementioned agreement as suggested and authorized Lisa Kelley, County Administrator, act as the signatory agent on behalf of the Madison County Board of Supervisors, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: OFFENDER AIDE & RESTORATION AGREEMENT (OAR)

Chairman, Eddie Dean stated an agreement has been received from the office of OAR for approval.

Lisa Kelley, County Administrator, advised an agreement has been received from the offices of OAR (Offender Aide & Restoration) group which the County of Madison is an active part of; she advised this organization receives a portion of its funding from the State Department of Criminal Justice Services and the State requires each locality to submit standard operating procedures; she advised this was done by the local chapter and the State recently informed them that updated local resolutions would be needed from each locality that participates in the program; therefore, the agreement being presented tonight will need to be signed.

In closing, Lisa Kelley, County Administrator, advised the agreement represents all the appropriate statutory obligations and has will need each locality to confirm their membership and commitment to the partnership. She recommended the

Board approve the agreement as presented and suggested she be provided the authority to sign the agreement on behalf of the Madison County Board of Supervisors.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the Board approved the aforementioned agreement as presented and suggested and authorized Lisa Kelley, County Administrator, to act as the signatory agent on behalf of the Madison County Board of Supervisors, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: CENTRAL VIRGINIA REGIONAL JAIL (Approval of Sewer Line Easement)

Lisa Kelley, County Administrator, advised the Board was recently contacted by the Attorney for the Central Virginia Regional Jail in regards to all membership localities having approved an agreement for the sewer line easement in 2006 in favor of the Town of Orange that goes across the facility's property; however, she advised the location of the easement that was previously approved will not work and will need to be relocated, therefore a new proposed agreement has been presented along with plats (sewer line easement is being relocated to the rear of the property) – they are requesting the Madison County Board of Supervisors approve the new Deed of Easement which will result in abandonment of the easement signed in 2006.

In closing, Lisa Kelley, County Administrator, recommended the Board sign the Deed of Easement as presented and authorize her to act as the signatory agent on behalf of the Board. She stated all signatory pages have been prepared by the law firm acting on behalf of the Central Virginia Regional Jail.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board approved the aforementioned agreement as suggested and authorized Lisa Kelley, County Administrator, to act as the signatory agent on behalf of the Madison County Board of Supervisors, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: KEMPER MANSION (PROCUREMENT FOR WORK)

Lisa Kelley, County Administrator, indicated the Madison Historical Society has expressed their impatience in waiting for the County to move forth with necessary repairs to the Kemper Mansion; she stated she has received work specifications as prepared by Edward Eichman which have also been reviewed by Andy Mank, who has recommended a few minor changes.

Lisa Kelley, County Administrator, stated she will contact Dr. Hanson to provide him an opportunity to review the specifications.

In closing, she recommended the Board move forward with advertisement for bids – detailed work will include painting exterior woodworking & metal roofing on the Kemper Mansion and one (1) smaller accessory building along with replacement of gutters, downspouts and accessories.

James L. Arrington stated there were problems with water damage at the Kemper Mansion and asked what would be done to remedy that problem.

Lisa Kelley, County Administrator, indicated the issue was examined and specifications for work being advertised should take care of the leaks that were noted – she stated the interior does not appear to have been severely damaged.

William L. Crigler asked if the Madison Historical Society wanted to handle this issue.

Lisa Kelley, County Administrator, indicated the organization is basically pushing the Madison County Board of Supervisors to move forward with the improvements as they have been waiting for quite some time; they have also expressed concerns as to the fact the deteriorations to the building are quite noticeable at the current time.

Bob Miller indicated that Dr. Hanson has asked to review the documents that will be approved by the Madison County Board of Supervisors to see the concerns he verbalized at an earlier point are also noted in the specifications.

After discussion, on motion of Bob Miller, seconded by James L. Arrington, the Board authorized Lisa Kelley, County Administrator, to proceed with the advertisement of the procurement of work for the Kemper Mansion, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: FARMER'S MARKET

Brad Jarvis, Extension Agent, was present and asked what process to take with regard to holding a Farmer's Market at Hoover Ridge.

V. R. Shackelford, III, County Attorney suggested Brad Jarvis meet with Betty Grayson, Zoning Administrator, to get the details from the Ordinance that was approved by the Madison County Board of Supervisors.

IN RE: EXECUTIVE SESSION

Chairman, Eddie Dean stated the Board will need to go into Executive Session to discuss come issues.

V. R. Shackelford, III, County Attorney, advised the Board will need to discuss three (3) litigation matters to include:

1. Rapidan Baptist Camp vs. Madison County (tax exempt property)
2. Coates vs. the Madison County Board of Zoning Appeals (court decision)
3. Potential litigation involving Mitchell Mountain, LLC

On motion of William L. Crigler, seconded by Bob Miller, the Board voted to go into Executive Session to discuss issues that fall within the following exemption, Consultation with Legal Council pursuant to the Code of Virginia Section 2.2-3711 (A)(7) Rapidan Baptist Camp, Coates versus Madison County Board of Zoning Appeals and Possible Litigation involving Mitchell Mountain, LLC, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Gale Harris, Commissioner of the Revenue, has been asked to remain for the Executive Session to discuss issues regarding the case of the Rapidan Baptist Camp versus Madison County

On motion of Bob Miller, seconded by Clark Powers, the Board voted to

go back into open session with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of Bob Miller, seconded by James L. Arrington, the Board took roll call to certify that nothing was discussed which was not authorized by the Code of Virginia and that the following Resolution is adopted with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

MOTION:	Bob Miller	RESOLUTION NO:	2007-3
SECOND:	James L. Arrington	MEETING DATE:	March 13, 2007

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Madison County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Madison County Board of Supervisors.

VOTE

AYES, Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers

ABSTAIN: None

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the act should be described)

ABSENT DURING VOTE: None
 ABSENT DURING MEETING: None

Clerk/Secretary of the Madison County Board of Supervisors

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

No action was taken as a result of Executive Session

On motion of Bob Miller, seconded James L. Arrington, Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order.

IN RE: RESOLUTION OF APPRECIATION FOR RAY E. GOODING, JR.

Chairman, Eddie Dean read a Resolution to commemorate Ray E. Gooding, Jr. and his twenty (20) years of dedicated service as the Treasurer of Madison County; he further noted Mr. Gooding received recognition from the General Assembly for his outstanding career of public service, including not only his tenure as the Treasurer of Madison County, but also his service in the United States Army during World War II and his participation in numerous charitable and professional organizations; he noted that Mr. Gooding was always courteous and understanding with all Madison County taxpayers. Additionally, the County's delinquent rate was always very low due to his attention to detail and professionalism.

Chairman, Eddie Dean presented the Resolution to Mrs. Gooding on behalf of the Madison County Board of Supervisors.

Corrie Smith, Treasurer, commented on Mr. Gooding's worth ethic and verbalized her appreciation of the training that she received during her years of working as the Treasurer of Madison County. She stated Mr. Gooding was well respected by all County taxpayers and worked well with them. She also stated he did a good job with

whatever task he undertook.

In closing, she stated we are all grateful to have been a part of his life.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment to citizens with issues separate from the Alarm Ordinance and Department of Transportation Board.

IN RE: ENHANCED PROGRAM & RECREATIONAL ACCESS FUNDING (John J. “Butch” Davies, III)

John “Butch” Davies thanked Chairman, Eddie Dean for the opportunity to speak at tonight’s evening session and provide an updated on several issues on behalf of the Commonwealth Board of Transportation, and advised the following points:

1. Summary of the Transportation bill of \$300 million – feels the bond issue will warrant significant deficits in all localities involved.
2. Culpeper County received \$1.15 million in enhancement grants.
3. Madison County has been awarded \$850,000.00 in state funds (enhancement)
4. There are additional “pots” of funding that can be sought for Madison County
5. Federal funding provided for: a) guardrails; b) flowers; c) lights.
6. All other jurisdictions have passed Resolutions pertaining to the Journey through Hallowed Ground except Madison County.

John “Butch” Davies explained that a Resolution in support of the Journey through Hallowed Ground can define what is acceptable to Madison County rather than just saying “no” to the opportunity; he also added there is support of the designation at the state and federal level. He stated there are several residents living along the corridor of Route 15 who are very supportive of the designation – additionally, boundary limits are still in a state of discussion and he is unsure if this issue has been resolved at the current time; however, he suggested the County look at the opportunities the designation will present for the locality and also feels a Resolution could contain language that will denote the entire County not be involved in the designation.

John “Butch” Davies stated there do not appear to be extreme risks attached to the designation and feels the County will definitely benefit from additional funding being attained for the County. He also stated no action will be taken on the State level until all localities involved have acted on this issue.

Bob Miller asked if any jurisdictions have placed limitations for their specific area with regard to the Journey through Hallowed Ground designation.

John “Butch” Davies indicated there have been no suggestions from any of the other localities involved pertaining to limitations being in place.

Bob Miller stated that Madison County’s Comprehensive Plan indicates the County will support the Journey through Hallowed Ground Heritage Area and the Jamestown 2007 effort.

James L. Arrington asked for some clarification as to the tangible benefit the designation will provide to Madison County.

John “Butch” Davies stated he feels there is a clear commitment at the State and national level to provide funding to those jurisdictions located along the corridor for the promotion or tourism, encourage visitation to historical sites and to market the designation as national wide effort. He stated this will also be a significant economic benefit to the County – he stated the designation will also add increased credibility to the County’s preservation efforts.

William L. Crigler asked how would the Scenic By-way designation influence decisions made at the federal level.

John “Butch” Davies stated a decision has already been made at the Federal level; however one issue that remains on the state level is the concern regarding the impact on signage, although there will be no impact on building or zoning issues.

Clark Powers stated when the designation was initially discussed, he had concerns regarding the fact the issue was being discussed when Congress was not in session – he stated he was not in favor of federal legislation. He also asked if additional funding will be made available to the corridor and in turn to Madison County.

John “Butch” Davies stated he feels Madison County will see federal initiatives being created on behalf of the corridor as a means to fund opportunities within the corridor itself (i.e. safer intersections); he stated the federal government targets particular issues and tends to send money to support the designated concerns.

Clark Powers asked if there would be any limitations imposed by the state regarding the width and size and width of the roadway.

John “Butch” Davies stated he did not feel that would be an issue and

explained there was a proposal to make Route 15 into a four-lane highway; however, that brought forth a hostile reception from the citizens in all surrounding Counties that utilize Route 15; he stated he felt there would be no limits on the width of the road but may very well establish limits on the designation for the scenic byway.

Chairman, Eddie Dean stated Donald Gore of the Virginia Department of Transportation advised the Board of a new policy that was implemented during this year in which twenty-five to thirty percent (25%-30%) of funding has to be applied to federally designated roadways and not necessarily applied in the order in which the Madison County Board of Supervisors had selected (i.e. newer projects were done before older projects).

John “Butch” Davies indicated the Virginia Department of Transportation has tried to move more decision making to the local level; he stated the department has also allowed waivers in urban areas for secondary roadways. In closing, he suggested that Donald Gore of the Virginia Department of Transportation meet with the Madison County Board of Supervisors to discuss the need for priority projects to meet all federal guidelines which is an intricate part of the Enhancement Program.

John “Butch” Davis advised the Enhancement Program is established by all criteria as implemented by the federal government – he stated the Commonwealth Board of Transportation has “tilted” some of those requirements in order to ensure that federal funding can be utilized for Streetscape and roadway improvements.

John “Butch” Davies stated the Commonwealth Board of Transportation is experiencing a period of reorganization and stated the staff of the Virginia Department of Transportation appears to be a bit “defensive” and receive guidelines from Richmond which need to be reviewed by the localities as well (i.e. secondary roadway improvements).

John “Butch” Davies indicated the County of Madison has benefited in the past from funding provided for the repair of bridges – he advised a percentage of all federal funding has to be dedicated to the repair of bridges;

Chairman, Eddie Dean stated there was \$350,000.00 awarded to Madison County for enhancement efforts and asked if any of that funding was “new money” to which John “Butch” Davies indicated that \$200,000.00 was noted as “new” money.

John “Butch” Davies advised the County’s project is scoring well with the Commonwealth Transportation Board and strongly suggested the Madison County Board of Supervisors continue to reapply for additional funding within the next two (2) years.

Chairman, Eddie Dean asked if there was a difference in sanctioning the Journey through Hallowed Ground and Route 15 as a Scenic Byway.

John “Butch” Davies stated he did not feel there was a philosophical difference in terms of the legalities involved and further indicated a Scenic Byway imposes the descriptions that pertain to legislation for Scenic Byways in the State of Virginia which are based on information graphed from historical principles.

Chairman, Eddie Dean stated conversed with representatives from Congressman Cantor’s Office today and there were concerns expressed by his staff regarding the amendments the Committee for the Journey through Hallowed Ground Partnership have eliminated the option for property owners to opt out as well as most of the support mechanism for property rights – he felt this is the area that has caused the most concern in the community of Madison County and added this was a bi-partisan vote taken without any real discussion.

John “Butch” Davies stated he felt this situation came about as the result of individuals failing to think about consequences of the imposing force, as there are areas of localities that citizens would like to protect – he indicated he feels the same concerns apply to the designation. In closing, he stated he believes people are consumed by the “Journey through Hallowed Ground” designation because of the historical impact as it reaffirms their faith in the County; however, he feels a Resolution presented by the County of Madison should include concerns of the citizens and will be more effective than just taking a position of saying “no.”

Chairman, Eddie Dean stated the Madison County Board of Supervisors does not plan to rush into making a decision at tonight’s evening session as the Board is still in the process of “fact finding.”

Chairman, Eddie Dean opened the floor for comments from the public – he asked that only new ideas and concepts be presented as many in attendance tonight have also expressed concerns in previous meeting sessions.

Richard Mallory was present and asked if a distinction will be made in the

federal and state aspects of the designation and if so, what will be the impact; he also asked whether the restrictions will be imposed upon development and what individual landowners can do with their perspective property.

John “Butch” Davies indicated the benefit from the view of the state will impose limitations on developers and signage along the corridor; he further indicated designation will impose limitations on signage being situated; however, the federal legislation indicates all bills will be directly imposed.

Ruth Lillard was present and verbalized concerns regarding federal and state legislation for the Scenic Byway designation and the Journey through Hallowed Ground.

John “Butch” Davies stated the area in which we reside is considered to be of major historical importance and should be preserved and protected; however, he stated his concerns stem from the fact that local citizens do not wish for non-residents to impose on local standards – he feels when there is a rush to judgment about a “do good” feeling, sometimes, unintended consequences tend to result.

Peter Rice was present and stated he feels it would be a mistake for Madison County to reject the designation for such a small span of property.

Jean Busboso was present and stated she was in favor of the designation; she also asked about the survey that was sent to landowners and asked about then percentage of results that was received.

Lisa Kelley, County Administrator stated there were (173) surveys mailed to private landowners and there seventy-five (75) responses received by mail and email which she felt was a fairly good response rate.

Jean Busboso stated it seems that people do not want the federal government to tell localities what to do; although there are non-local citizens that want to tell Madison County what to do.

Fred Dixon was present to and stated he was also in favor of the proposal; he also indicated that he wondered if this proposal was an ‘up or down’ thing.

John “Butch” Davies stated a Resolution has been adopted at the state level by the Commonwealth Transportation Board; he also advised there has been support from each of the jurisdictions in the State of Virginia for approval of the Scenic

Byway designation with the exception of Madison County – in order for the Commonwealth Transportation Board to move forward, the Board has historically not approved the designation if there has been a jurisdiction that has not acted which is where the Board stands at the present time; the matter is sitting in wait.

Frank Dixon stated that Madison County can designation support of the proposal but indication reservations (i.e. leadership role) and perhaps make reference to the impending restrictions that have been noted at tonight's meeting. In closing, he stated it appears the benefits of the designation outweigh the property rights objections. In addition, he stated the County's Comprehensive Plan has been approved with language that denotes favor of the Corridor designation.

Bob Miller stated at the time the Jamestown 2007 program and the Journey through Hallowed Ground designation was being initiated the Madison County Planning Commission adopted and supported those endeavors.

Frank Dixon stated it appears any property restriction issues still remains in the hands of the Madison County Board of Supervisors ; therefore, it appears the corridor program will actually take nothing away from the Board's power to exercise any property rights in the manner they have always been governed.

James Hale was present and stated he lives on a scenic byway and stated the increase in traffic is horrible; he also stated he feels the federal government will eventually control the view shed from Route 15 to Shenandoah.

Debbie Marshall was present and stated the local body of Madison County has the opportunity to approve, disapprove or put limitations on the County's participation in the state designation; however, she asked if the County will really have any input on the federal law that is currently being instated.

Chairman, Eddie Dean stated the County has an indirect access to influence the federal representatives regarding the designation.

Debbie Marshall asked if the County sided with the views being imposed by the State of Virginia, would the federal legislation drop their concerns.

Chairman, Eddie Dean stated it appears the County can participate in the State's designation of a Scenic Byway, but do not have a significant amount of input as to what will occur at the federal level.

Chairman, Eddie Dean thanked the public for commented.

IN RE: FALSE ALARM ORDINANCE

Chairman, Eddie Dean asked V. R. Shackelford, III, County Attorney to provide an overview of the County's proposed Alarm Ordinance.

V. R. Shackelford, III, County Attorney provided an overview of the proposed False Alarm Ordinance and the fees associated with the Ordinance; he stated he feels the document contains what the Board wanted in order to address the existing problem with the false alarm problems occurring in Madison County.

James L. Arrington asked if the Ordinance would apply to new installations only.

Bob Miller asked how the local citizens would be made aware of the Ordinance and whether the fees associated with the Ordinance are enough to make a significant impact on what it actually costs the County to maintain the Ordinance.

Robert Finks stated he feels the guidelines in the Alarm Ordinance are strict enough to make an impact; he indicated that most individuals are good to work with when law enforcement is called to their place of business or residence. In addition, he stated a local business owner was informed of the hardship false alarms place on emergency personnel and law enforcement (i.e. firemen, deputies); afterwards, the businessman pledged to correct the problem; he stated there are some locations that have alarms going off repeatedly, but he feels once owners have to start paying the proposed fees, the problem will be resolved.

Lisa Kelley, County Administrator, indicated Erik Weaver, Sheriff, was also supplied with a copy of the proposed False Alarm Ordinance and stated he was in agreement with the document.

Robert Finks also advised that some residents in possession of alarm systems have not registered their E-911 addressed with their alarm company and feels this document will help in alleviating problems; additionally, he feels there needs to be some form of responsibility demonstrated on the part of the alarm companies.

Clark Powers asked how current alarm owners would be made aware of the Ordinance and the fees associated with it.

Robert Finks stated once the Ordinance is passed, it will be published in

the Madison Eagle; he also stated he will probably have to make contact with all local businesses and homeowners to make them aware of the guidelines associated with enforcement of the Ordinance.

FALSE ALARM ORDINANCE OF MADISON COUNTY, VIRGINIA

Sec. 1. Findings and policy.

The Board of Supervisors of Madison County, Virginia, hereby finds that sub-standard alarm systems, and the false alarms associated with them, constitute a hazard to emergency responders and to the public in general. The regulation of alarm systems and false alarms is necessary to promote the health, safety and welfare of the citizens of Madison County. False alerts of intrusions, burglaries, or other emergencies increase responders' operational costs, divert resources from other critical areas, and increase the opportunities for automobile collisions and other incidents en route to the site of false alarms. Toward the end of preserving the safety and efficiency of the Madison County emergency response services, it is the policy of Madison County that those who utilize automatic alarm systems must be required to maintain those systems in good working order.

Sec. 2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm system means any device or assembly of equipment and devices (including, but not necessarily limited to, any automatic communication device) that will, upon activation, cause an audible, visible or other signal to register at the Madison County Sheriff's Department or its emergency communications center, and which has been assembled or combined to alert emergency responders to an unlawful entry or other activity requiring an immediate law enforcement or other emergency response.

Alarm user means any person or entity (except the Commonwealth of Virginia, its agencies, political subdivisions or agencies of its political subdivisions) that owns or leases an alarm system or the premises on which such alarm system is maintained.

Automatic communication device means any device or combination of devices that will, upon activation, either mechanically, electrically, automatically or by any other means initiate the intrastate calling, dialing or connection to a telephone number, line or

other instrument assigned to the county, the sheriff's department, or the Madison County emergency communications center.

False alarm means the activation of any alarm system, eliciting a response from Madison County's law enforcement and/or emergency service providers when, in fact, a situation requiring such response (i.e., a situation involving actual or threatened criminal activity, or constituting an immediate danger to life or property) does not exist, and such activation results from mechanical or electronic failure, malfunction, or improper installation or maintenance of the alarm system and/or the neglect of the alarm user, his employees, tenants or agents. The term shall not include alarms caused by electrical power disruption or failure, or alarms occurring during electrical storms, hurricanes, tornados, blizzards or other unusually violent acts of God.

Sec. 3. False alarms; penalty.

(a) In the event that more than three (3) false alarms are generated by its alarm system within any ninety (90) day period, an alarm user shall be charged, and shall pay, a penalty of one hundred dollars (\$100.00) for the fourth and each subsequent false alarm that results in any emergency response during that 90-day period.

(b) The Madison County Director of Emergency Communications shall notify each alarm user in writing of the imposition of the appropriate penalty as set forth above. A penalty owed by an alarm user pursuant to this section shall be made payable to the Madison County Treasurer, and shall be paid within ten (10) days from the date of the notice of imposition. Thereafter, a late payment penalty in the amount of ten dollars (\$10.00) shall be applied in addition to the penalty that is due and owing.

Sec. 4. Registration of alarm system required; penalty

(a) Prior to installing, using or maintaining any alarm system on any premises within Madison County, an alarm user shall provide the following information, in writing, to the Madison County Director of Emergency Communications:

(1) The emergency (E-911) address of the premises at which the alarm system is to be installed or used ("premises"); the name, mailing address and telephone number of the owner of such premises; and the name and mailing address of an individual (alarm user or alarm user's designee) to whom notices regarding the alarm system may be sent; and

(2) The name(s), address(es) and telephone number(s) of at least one (1) individual who will have day-to-day responsibility for the premises and alarm system, who will be immediately available to be contacted in the event an alarm is activated, and who is authorized and able to deactivate the alarm system; and

(3) A description of the specific type of alarm system, manufacturer's name, and the name and telephone number of the alarm company monitoring, responding to or maintaining the alarm system.

(b) When possession of the premises at which an alarm system is maintained is transferred, the person or entity obtaining possession of the premises shall be required to comply with the registration requirements of the aforesaid paragraph (a).

(c) Whenever any of the information provided by an alarm user pursuant to the aforesaid paragraph (a) or (b) changes, the correct information must be provided by the alarm user to the Madison County Director of Emergency Communications within thirty (30) days of the change.

(d) Any alarm user who fails to comply with the registration requirements set forth within this section shall be charged, and shall pay, a penalty of \$100.00. The Madison County Director of Emergency Communications shall notify each alarm user in writing of the imposition of this penalty. A penalty owed by an alarm user pursuant to this section shall be made payable to the Madison County Treasurer, and shall be paid within ten (10) days from the date of the notice of imposition. Thereafter, a late payment penalty in the amount of ten dollars (\$10.00) shall be applied in addition to the penalty that is due and owing.

ENACTED this 13th day of March, 2007.

Madison County Board of Supervisors

By: _____
Eddie Dean, Chairman of the Board

	Aye	Nay	Abstain
Eddie Dean	<u> x </u>	_____	_____
Bob Miller	<u> x </u>	_____	_____
James L. Arrington	<u> x </u>	_____	_____
William L. Crigler	<u> x </u>	_____	_____
Clark Powers	<u> x </u>	_____	_____

Lisa Robertson Kelley
Madison County Administrator

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the Board approved the False Alarm Ordinance as presented, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: CENTRAL ABSENTEE VOTING PRECINCT ORDINANCE

V. R. Shackelford, III, County Attorney provided an overview of the Central Absentee Voting Precinct Ordinance and added the Registrar and the President of the Madison County Electoral Board were unable to be present at tonight's meeting. He stated there was a change in the Absentee Voter Precinct which required the County of Madison to establish one (1) place in which to house the Absentee Voter Precinct and is to be conducted for all elections (federal, state, local). He stated the Ordinance also requires that a certain type of equipment be utilized – anytime a polling place is changed for a precinct, this must be done formally and it is recommended by the Madison County Electoral Board that the Criglersville precinct be changed.

V. R. Shackelford, III, County Attorney advised the State of Virginia still participates in the Voting Rights Act and all documentation must be submitted to the Justice Department within ninety (90) days.

Clark Powers asked if the new designation area(s) will have a designation sign.

V. R. Shackelford, III, County Attorney stated normally when a voting precinct is changed, signage is added at the property to notify citizens the voting location has been relocated.

**ORDINANCE TO ESTABLISH A CENTRAL ABSENTEE VOTER PRECINCT
FOR ALL ELECTIONS IN MADISON COUNTY, TO AUTHORIZE THE USE
OF UNILECT PATRIOT VOTING EQUIPMENT AND CARD READER FOR
ABSENTEE VOTING IN ALL ELECTIONS, AND TO CHANGE THE POLLING
PLACE FOR THE CRIGLERSVILLE PRECINCT**

WHEREAS, the Madison County Electoral Board has recommended that Madison County establish a central absentee voter precinct for all elections, that Unilect Patriot equipment and card reader be used for absentee voting in all elections; and that the polling place for the Criglersville Precinct be changed from the Criglersville School to 5149 North Blue Ridge Turnpike, Banco, Virginia 22711 in order to provide a more suitable and accessible voting location.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia, as follows:

1. A central absentee voter precinct at 302 Thrift Road, Madison, Virginia, 22727 shall be used for all elections in Madison County and that the Unilect Patriot equipment and card reader shall be used for absentee voting in all elections.
2. The polling place for the Criglersville Precinct in all elections is hereby changed from the Criglersville School to 5149 North Blue Ridge Turnpike, Banco, Virginia 22711.
3. This ordinance shall become effective upon approval thereof by the U.S. Department of Justice, Civil Rights Division, pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c.
4. A copy of this ordinance shall be sent to the Madison County Electoral Board, the Virginia State Board of Elections, and the Virginia Division of Legislative Services.

ENACTED this 13th day of March, 2007.

Board of Supervisors of Madison County, Virginia

By: _____
Eddie Dean, Chairman

	Aye	Nay	Abstain
Eddie Dean	<u> x </u>	_____	_____
James L. Arrington	<u> x </u>	_____	_____
William L. Crigler	<u> x </u>	_____	_____
Robert Miller	<u> x </u>	_____	_____
Clark Powers	<u> x </u>	_____	_____

Lisa Robertson Kelley
Madison County Administrator

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board voted to adopt the aforementioned Ordinance to establish a central absentee voter precinct for all elections in Madison County, to authorize the use of Unilect Patriot voting equipment & card reader for absentee voting in all elections, and to change the polling place for the Criglersville Precinct, with the following vote recorded:

IN RE: MINUTES

On motion of Clark Powers, seconded by James L. Arrington, Minutes #5, #6, #7, and #8 are approved as presented and spread in Minute Book #15, page through , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Abstain
Bob Miller	Aye
Clark Powers	Aye

CURRENT CORRESPONDENCE:**NOTICE OF PUBLIC MEETING**

Lisa Kelley, County Administrator, advised there is a notice of a Public Meeting to be held on the Rappahannock Basin TMDL studies on March 27, 2007 in the

MADISON COUNTY HEALTH DEPARTMENT

Lisa Kelley advised the Madison Health Department has selected a new Director, David Compton – she received an email embarking upon his qualifications for the position should any Board member like to read the information; however, the email does not denote when Mr. Compton will begin his new assignment.

William L. Crigler suggested Carl Pumphrey, Emergency Management Services Coordinator, be notified to add Mr. Compton to the list of attendees.

MADISON CHAMBER OF COMMERCE & ARLINGTON DIOCESE

Lisa Kelley, County Administrator, advised a letter has been received from the Madison Chamber of Commerce to request permission to utilize the following County space:

1. Kemper Residence (lawn and driveway)
2. War Memorial Building (lawn area)
3. County owned property next to the Drug store parking spaces
4. Courthouse lawn and portico

After discussion, on motion of Bob Miller, seconded by James L. Arrington, the Board approved the aforementioned request received from the Madison Chamber of Commerce to utilize specified County-owned property during the annual Taste of the Mountains Festival scheduled for Saturday, September, 2007 from the hours of 6:00 a.m. to 7:00 p.m., with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Lisa Kelley, County Administrator also advised a letter was received from the Catholic Diocese of Arlington requesting that all building permit fees and landfill fees be waived for a clean up project they are undertaking during their annual Workcamp session from June 25, 2007 through July 14, 2007.

After discussion, on motion of Clark Powers, seconded by Bob Miller, the Board approved the aforementioned request (waiver of building & landfill fees) from the Catholic Diocese of Arlington for the period of June 25, 2007 through July 14, 2007, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

MADISON COUNTY SCHOOLS

Lisa Kelley, County Administrator, advised that Ross Shifflett attended the School Board Meeting; she received a letter from Dr. Brenda Tanner, Superintendent, in which she specified the School Board will continue to work with Mr. Shifflett regarding the request for an easement for Madison Parks & Recreation to utilize the well at the Madison Primary School; therefore, the concept has been endorsed.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Lisa Kelley, County Administrator, stated she received an email from Donald Gore of the Virginia Department of Transportation in which he indicated the Department is initiating a new program that will invite an individual from each locality to a Team Meeting to discuss scoping, final building inspections, public hearings, pre-ad conferences and bid ability – the Department would like to know who would be interested in being the local contact person and an alternate in case anyone would like to begin attending the Team Meeting being hosted by the Department.

Lisa Kelley, County Administrator, advised the Board that an advertisement will need to be published in the Madison Eagle to make the public aware of the budget synopsis – she advised a synopsis will be provided to the Board at the start of the Budget Work Sessions which will be held on Monday, March 19, 2007 at the Thrift Road conference room beginning at 2:00 p.m. – she advised that a copy will be provided to James L. Arrington prior to the first Workshop Session.

After discussion, the Board also decided to meet on Thursday, March 22, 2007 at 10:00 a.m. in the conference room at Thrift Road to approve the advertisement of the Draft 2007-2008 Budget.

Bob Miller stated a letter was received from Gwen Lacy regarding an addition that has been made at the Mountain View Nursing Home which she felt had not been done correctly.

Lisa Kelley, County Administrator, stated she had a visit from the Lacy's some time ago at which time they indicated they were unhappy with the additions that have been initiated at the facility – it appears they believe zoning approval was granted in error; however, she indicated she met with Betty Grayson, Zoning Administrator, and it appears everything has been done in compliance. It appears the Lacy's were displeased with the roadway improvements and feel the State encroached upon their property and they did not authorize an easement.

Bob Miller stated the letter he received appeared to be a FOIA request and asked for specific documents and also contained several signatures.

Lisa Kelley, County Administrator, indicated she would be willing to assist Betty Grayson, Zoning, Administrator, if assistance is needed in dealing with a FOIA request.

William L. Crigler reminded the Board members of the upcoming banquet being hosted by the Madison County Volunteer Fire Department on Saturday, March 24, 2007 at 6:30 p.m. at the Firehouse – he advised that all Board members and the County Administrator have been invited to attend the event.

After discussion, on motion of James L. Arrington, seconded by Bob Miller, Chairman, Eddie Dean continued the meeting to Monday, March 19, 2007 at 2:00 p.m. at 302 Thrift Road, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Eddie Dean, Chairman

Lisa R. Kelley, County Administrator

Date: March 14, 2007

Copies: Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers,
V. R. Shackelford, III & Constitutional Officers
